Amendments to the Specification

Please make the following amendments to the specification. Changes relative to the immediate prior version are shown using strikethrough to identify deleted material and underlining to identify added material.

Please insert the following new paragraph beginning at line 1 of page 2 immediately preceding the section heading "BACKGROUND":

-- RELATED APPLICATIONS

This application claims priority to Japanese Patent Application No. 2002-292606, filed October 4, 2002 --

Please replace the second full paragraph on page 13 (lines 12-27) with the following amended paragraph:

– The dead bacteria and the live bacteria are classified and counted using the optical information thus obtained. Compared to dead bacteria, the material within live bacteria is resistant to fluorescent staining due to the action of the bacterial membrane (cellular wall). This fact is used in accordance with the present invention to process a specimen using a first fluorescent dye with the conditions that dead bacteria are subjected to adequate fluorescent staining, and live bacteria are subjected to either weak fluorescent staining or essentially no ~~fluorescently~~ fluorescent staining as compared to dead bacteria. In this way, a difference in the degree of staining arises between the live bacteria and the dead bacteria, such that a difference is produced in the intensity of fluorescent light detected from each bacterium. --

Please replace the paragraph bridging pages 33 and 34 (page 33, line 27 to page 34, line 26) with the following amended paragraph:

-- A urine specimen was assayed using the bacteria counting apparatus shown in FIG. 3. Using the dilution fluids I and II and stain in the same manner as in examples 1 and 2, an assay sample I processed by the dilution fluid that did not contain surface-active agent, and an assay sample II processed by the dilution fluid containing surface-active agent, were prepared and assayed. The scattergram obtained from the assay of the assay sample I is shown in FIG. 12. In FIG. 12, the VIA1 region is the region in which live bacteria appeared, and the LD1 region is the region in which dead bacteria appeared. The scattergram of the assay sample II is shown in FIG. 13. The LD1 region is the region in which the ~~dead~~ total bacteria appear. In both cases, the vertical axis represents the forward scattered light intensity, and the horizontal axis represents the lateral fluorescent light intensity. Example 5 includes impurities in the specimen, such as debris (e.g., cell residues of leukocytes and the like) and viscous fibers, because the results are for the assay of an actual urine sample. Therefore, in the scattergram of FIG. 12, impurities appear in the VIA1 region in which the live bacteria appeared, such that it is difficult to calculate an accurate live bacteria count from the scattergram of FIG. 12 using the analysis method of example 1. The number of bacteria was determined by the analysis method of example 2 using the scattergram of FIG. 13. A dead bacteria count of $3.8\text{x}10^5$/ml was obtained from the scattergram of FIG. 12. A total bacteria count of $6.8\text{x}10^5$/ml was obtained from the scattergram of FIG. 13. Therefore, a live bacteria count of $3.0\text{x}10^5$/ml was obtained by subtracting the dead bacteria count obtained from the scattergram of FIG. 12 from the total bacteria count obtained from the scattergram of FIG. 13. --